

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

COLTON LEE SHAMBO,

Defendant.

CR-18-54-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on January 11, 2023. (Doc. 62.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on January 10, 2023. (Doc. 34.) The United States accused Colten Shambo, (Shambo) of violating his conditions of supervised release 1) by possessing methamphetamine; and 2) by using methamphetamine on two separate occasions. (Doc. 54.)

At the revocation hearing, Shambo admitted to violating the conditions of his supervised release 1) by possessing methamphetamine; and 2) by using methamphetamine on two separate occasions. (Doc. 57.) Judge Johnston found that the violations Shambo admitted proved to be serious and warranted revocation, and recommended revocation of Shambo's supervised release and recommended a custodial sentence until 9:00 a.m. on January 31, 2023, with 20 months of supervised release to follow, with the first 180 days of supervised release at the Great Falls Pre-Release Center. (Doc. 62.) Shambo was advised of his right to appeal and his right to allocute before the undersigned and he waived those rights. (Doc. 57.) The violations prove serious and warrant revocation of Shambo's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 62) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Colton Lee Shambo be sentenced to the Bureau of Prisons until 9:00 a.m. on January 31, 2023, with 20 months of supervised release to follow, with the first 180 days of supervised release spent at the Great Falls Pre-Release Center. Shambo's probation officer will transport Shambo to the Great Falls Pre-Release Center on January 31, 2023 at 9:00 a.m., when he is released from custody.

DATED this 11th day of January, 2023.

A handwritten signature in blue ink that reads "Brian Morris". The signature is fluid and cursive, with the first name "Brian" and last name "Morris" clearly distinguishable.

Brian Morris, Chief District Judge
United States District Court